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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,087	03/31/2004	Joseph A. Tabe	TABE-3	7260

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EXAMINER	
TRINH, TAN H	

ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/814,087	TABE, JOSEPH A.	
	Examiner	Art Unit	
	TAN TRINH	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,18 and 19* is/are rejected.

7)☒ Claim(s) *13-17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons for allowance

2. The following is an examiner's statement of reasons for allowance:

Regarding claim 13, the prior art of record fail to teaches, The communications device of Claim 1 further comprising a receiving means for receiving processed data via a Department of Motor Vehicles server, and means for assigning new phone numbers in reference to adopting a new number dialing method, and means for communicating between a plurality of vehicles with a single touch button.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Donner (U.S. Patent No. 5,722,069).

Regarding claim 1, Donner teaches a mobile communications device (see fig. 6-7 and 8) comprising: computer means comprising a micro processor (see figs. 3, 6-7, Controller 4 with

micro processor, col. 4, lines 58-66, or fig. 8, micro processor 104), at least one memory means (see fig. 3, Memory 20, or fig. 8, Memory system 106), at least one input/output terminal (see fig. 3, input/output terminal, inputs 20A-B, 21A-B 24B and 25B, output C1-C6) or fig. 8, input/output terminal with input from items 135 and 137 and output to items 102, 112 and 114), and a communication controller (see fig. 8, col. 8, lines 5-22), an audio system communicatively connected to the computer means wireless communications means connected to the communication controller and configured for selectively and simultaneously transmitting and receiving analog and digital signals of varying frequencies (see fig. 7 and 8, col. 8, line 27-col. 9, line 59), ; cell phone means connected to one or both of the audio system and the computer means (see figs. 6, cell phone 30 and fig. 7, mobile video on demand 32, col. 7, lines 37-col. 8, line 4), and configured for cell phone communication via the wireless communications (see fig. 9, mobile communications device 13, col. 11, lines 14-23); wherein the communication controller provides wireless interconnectivity of the computer and a worldwide computer network through the wireless communications in wireless communication with a local internet service provider portal to the network (see figs. 6-9, col. 10, line 20-col. 11, line67), the audio system comprising a media device responsive to normal read-only data, and the computer having operating software contained on one of the memory (see fig. 7-8, memory system 106, media device 135 and 137, col. 10, lines 20-lines 67).

Regarding claim 2, Donner teaches wherein the wireless communications comprises at least one transmitter and at least one receiver each configured for wireless communication (see figs. 6, mobile phone 30 and fig. 8, transceiver 100, and wherein the communication controller is

configured to distinguish and modulate between the analog and digital signals which are received by the receiver and to be transmitted by the transmitter (see fig. 8, digital to analog converters (DAC) 126, 128), and further configured to separate the signals normal to each of the audio system (see fig. 8, audio left and right 134), cell phone means, and wireless interconnectivity of the computer and the network (figs. 6 and 9, cell-phone 30 connected to network 138, col. 10, line 20-col. 11, line67).

Regarding claim 3, wherein the wireless communications means further comprises an antenna configured for transmitting and receiving the signals and an amplifier for amplifying the signals received (this is well known in the art, any cell-phone must have antenna, amplifier (PA/LNA) for amplifying the transmitting and receiving signals).

Regarding claim 9, Donner teaches wherein the audio system further comprises a radio device (see fig. 6, col. 1, lines 44-48).

Regarding claim 10, Donner teaches wherein the radio device is communicatively connected to the wireless communications through the communication controller (see fig. 6, controller 4 is connected the entertainment system to mobile phone 30).

Regarding claim 11, Donner teaches wherein the radio device comprises a car stereo system (see car stereo system on figs. 1-7 with 2 entertainment systems and 4 speaker).

Regarding claim 12, Donner teaches the computer selectively disables the radio device when the cell phone is in operation for communication with the cell phone (see fig. 6, col. 7, lines 37-44).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donner (U.S. Patent No. 5,722,069) in view of Toyozumi (U.S. Patent No. 6,130,727).

Regarding claim 4, Donner teaches wherein the media device comprises at least one of a CD player (see fig. 6 and fig. 2, items 11-12, CD 1 and 2, col. 6, lines 11-33) But Donner fails to teach CD-ROM driver.

However, Toyozumi teaches CD-ROM driver (see col. 8, lines 53-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Donner system and by providing of the teaching of Toyozumi on CD-ROM driver with media device, so that the user can use the CD-ROM driver for loading data.

Regarding claim 5, Donner fails to teach wherein the media device comprises a CD-ROM driver configured for loading the read-only data into one the memory of the computer.

However, Toyozumi teaches CD-ROM driver configured for loading the read-only data into one the memory of the computer (see col. 8, lines 1-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Donner system and by providing of the teaching of Toyozumi on CD-ROM driver with media device, so that the user can use the CD-ROM driver for loading data.

Regarding claim 6, Donner teaches wherein the CD-ROM driver comprises one of the memory (see col. 9, lines 22-23).

7. Claims 7, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donner (U.S. Patent No. 5,722,069) in view of Stamegna (U.S. Patent No. (6,085,078).

Regarding claim 7, Donner teaches wherein the audio system further comprises at least one speaker (see figs. 6-7, speakers 5-8) and the communications device further comprising a cell phone slot electronically connected to the computer (see fig. 6, cell phone 30). But Donner fails to teach a microphone and a cell phone inserted into the slot, the cell phone having contacts in communication with sensors communicatively and operatively connected through the slot to the audio system by speaker and microphone.

However, Stamegna teaches a microphone (see fig. 1, microphone 35) and a cell phone inserted into the slot (see fig. 1, cell phone inserted into the slot 9), the cell phone having contacts in communication with sensors communicatively and operatively connected through the

slot to the audio system by speaker and microphone (see fig. 1, cell phone inserted into the slot 9 and audio terminal system 13, and col. 3 lines 23-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Donner system and by providing of the teaching of Stamegna on a microphone and a cell phone inserted into the slot, so that the user can use the microphone to speak and the insert the cell-phone easier.

Regarding claim 18, Donner teaches wherein the operating software comprises one or more of a word processor program and an internet browser (see col. 10, line 35-col. 11, line 3, since system can perform the home shop on the Internet and downloads new and update software that is obvious the system comprised word processor program and an internet browser).

Regarding claim 19, Donner teaches wherein the program and the browser are responsive to incoming and outgoing the signals relating to the wireless interconnectivity of the computer and the network (see fig. 9, col. 11, lines 4-67).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donner (U.S. Patent No. 5,722,069) in view of Stamegna (U.S. Patent No. (6,085,078) further in view of Deline (U.S. Pub. No. 20030020603).

Regarding claim 8, Donner teaches wherein incoming and outgoing communication via the cell phone is through the communication controller. But Donner or Stamegna fails to show wherein independent communication functionality of the cell phone is enabled or disabled in favor of the functionality by the communication controller.

However, Deline teaches wherein independent communication functionality of the cell phone is enabled or disabled in favor of the functionality by the communication controller (see fig. 16, digital sound processing system 1000, can be use the voice command system to control the cell-phone, page 26, section [0126]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Donner system and by providing of the teaching of Deline on audio system to control the function of cell-phone technique, thereto in order to provide user with convenience to operate the cell-phone by using voice command system.

Conclusion

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571)272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (571)272-7882.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh
Art Unit 2684
May 10, 2005

NICK CORSARO
PRIMARY EXAMINER